

COPY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Estate of VALERIE YOUNG, by VIOLA YOUNG, as
Administratrix of the Estate of Valerie Young,
and in her personal capacity, SIDNEY YOUNG, and
LORETTA YOUNG LEE,
Plaintiffs,

-against-

Index No.
07CV6241

STATE OF NEW YORK OFFICE OF MENTAL RETARDATION
AND DEVELOPMENTAL DISABILITIES, PETER USCHAKOW,
personally and in his official capacity, JAN
WILLIAMSON, personally and in her official
capacity, SURESH ARYA, personally and in his
official capacity, KATHLEEN FERDINAND, personally
and in her official capacity, GLORIA HAYES,
personally and in her official capacity, DR.
MILOS, personally and in his official capacity,
Defendants.

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EXAMINATION BEFORE TRIAL of the
Plaintiff, SIDNEY YOUNG, taken by the Defendant,
pursuant to Notice, held at the Office of the
Attorney General, 120 Broadway, New York, New
York 10271, on January 28, 2008, at 11:20 a.m.,
before a Notary Public of the State of New York.

1 S. YOUNG

2 knew prior to her death that she was would suffer
3 a blood clot?

4 MR. KAISER: Objection.

5 A. Yes.

6 Q. I'm sorry. Yes?

7 A. Yes.

8 Q. Which ones you thought knew prior
9 to --

10 A. I don't know who was checking her.
11 Somebody had to know about it. She was sitting
12 still. She wasn't walking around.

13 Q. Did you think any of the defendants
14 knew that she would suffer a blood clot that
15 would lead to her death?

16 MR. KAISER: Objection.

17 A. They would know that is how it
18 goes. If you don't move around, they would have
19 to know.

20 Q. My question is, did any of the
21 defendants now that she was going to have a blood
22 clot that was going to kill her?

23 MR. KAISER: Objection. How is he
24 supposed to know what the defendants know?

25 MR. VELEZ: I am asking him what

S. YOUNG

1

2 does he think.

3

MR. KAISER: That's a different

4

question.

5

A. I don't know.

6

Q. What do you think they knew about

7

Valerie?

8

MR. KAISER: Objection.

9

A. I don't know.

10

Q. When you said that she had problems

11

with her leg, what were the problems that she had

12

with her leg?

13

A. She just wasn't moving at all. She

14

was sitting on one spot. It was going on for a

15

while.

16

Q. When you said, "she wasn't moving

17

at all, sitting on one spot," how do you know

18

that?

19

A. Because usually when we would see

20

her, she would be moving all over the place,

21

running around and then all of a sudden, she was

22

just sitting on one spot.

23

MR. KAISER: Objection.

24

Q. When did you start seeing that?

25

A. I don't recall. Like I said I was

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1 S. YOUNG

2 there with my mother with her running back and
3 forth to the hospital, I don't remember, but I
4 know it was a lot.

5 Q. What period are you talking about?

6 MR. KAISER: Objection.

7 A. Within that year.

8 Q. 2005 you are saying?

9 A. Yes.

10 MR. KAISER: Objection.

11 Q. Do you know what the problem with
12 her leg was?

13 MR. KAISER: Objection.

14 Q. Or problems?

15 A. No, I don't know.

16 Q. Now, when you visited her in 2005,
17 were you concerned that she was going to have
18 some medical problems?

19 MR. KAISER: Objection.

20 A. I was always concerned, that is why
21 I was there.

22 Q. You were there on a regular basis
23 you said, at least twice a month?

24 MR. KAISER: Objection.

25 A. Yes.

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S. YOUNG

Q. Do you have any proof that you were there?

MR. KAISER: Objection.

A. I don't how -- do you remember how long ago that was? I think we used to sign the book in the back. If you check the records, you will see.

Q. That is my point. That was an earlier question I asked. The records indicate --

A. You are confusing me with all of these questions.

MR. KAISER: Objection.

Q. The records indicate that you did not visit so I am asking --

A. People know me there.

MR. KAISER: Objection.

A. They knew me there.

Q. Who there can I go to and confirm that you were there?

MR. KAISER: Objection.

A. I don't know.

Q. Did you become aware that she suffered for any specific condition related to

1 S. YOUNG

2 her leg that might cause a blood clot?

3 MR. KAISER: Objection.

4 A. I don't know.

5 Q. Now, when you visited Valerie Young
6 prior to June 19, 2005, did Valerie Young let you
7 know how she felt?

8 A. She couldn't talk.

9 Q. So she was not able to communicate
10 to you any concerns about her health benefits?

11 MR. KAISER: Objection. Let him
12 finish with his question before you answer.
13 Okay?

14 THE WITNESS: I let him finish.

15 MR. KAISER: Can you repeat the
16 question? I interrupted. I apologize. But he
17 did interject an answer there before you were
18 finished with your question.

19 Q. Was she able to communicate to you
20 at all in any way that she was having medical
21 problems when you visited her in 2005?

22 MR. KAISER: Objection.

23 A. Can you repeat that?

24 Q. Was Valerie Young able to
25 communicate to you in any way that she had

1 S. YOUNG

2 medical problems in 2005 that were bothering
3 her?

4 A. She didn't have to communicate. I
5 could tell. I knew my sister.

6 Q. The question is, she didn't
7 communicate to you then, correct?

8 A. She could not talk anyway. I knew
9 when something was wrong with my sister.

10 Q. Besides you knowing something was
11 wrong, there was no way she communicated to you
12 that something was wrong with her?

13 MR. KAISER: Objection.

14 A. No. Verbally, no.

15 Q. When you are saying you knew
16 something was wrong, what action did you take?

17 A. I told my mom. She looked in to
18 it.

19 Q. Did you speak to any of the
20 defendants?

21 A. My mom did all of the talking. She
22 knew them.

23 MR. KAISER: Objection.

24 Q. You said you were concerned, you
25 thought something was wrong. Did you talk to any

1 S. YOUNG

2 of the defendants?

3 MR. KAISER: Objection.

4 A. I didn't have to. My mom took care
5 of all of that business. She was the one that
6 went to the medical doctors and did all of that
7 stuff.

8 Q. You didn't, right?

9 A. I was working.

10 Q. When you visited twice a month, you
11 didn't indicate to any of the defendants that you
12 were concerned about Valerie Young?

13 MR. KAISER: Objection.

14 A. I didn't know them like that.

15 MR. KAISER: Objection.

16 Q. Did you communicate to anyone in
17 Brooklyn Developmental Center that you were
18 concerned about Valerie Young's health?

19 A. My mother always did.

20 Q. I am asking if you did, not what
21 your mother did. We will find out from your
22 mother what she did tomorrow.

23 A. No.

24 Q. Just so we are clear, you did not
25 communicate to any of the defendants that you

1 S. YOUNG

2 feared for Valerie Young's health related to her
3 leg condition?

4 MR. KAISER: Objection. Asked and
5 answered.

6 A. No. We always talked to our
7 mother.

8 Q. Your testimony is no, you talked to
9 your mother about it?

10 A. That is correct.

11 Q. Now, the blood clot that Valerie
12 Young had, do you think any of the defendants
13 were involved in her having that blood clot?

14 MR. KAISER: Objection.

15 A. I can't recall that.

16 Q. You can't recall?

17 A. I don't know.

18 Q. Do you think any of the defendants
19 took any action that lead to that happening to
20 Valerie?

21 MR. KAISER: Objection.

22 A. I don't know how it works with the
23 blood clot so I don't know.

24 Q. Do you think any of the defendants
25 failed to take any action that could have stopped

1 S. YOUNG

2 the incident of June 19th with Valerie Young?

3 A. Maybe so.

4 MR. KAISER: Objection.

5 Q. How so?

6 MR. KAISER: Objection.

7 A. I don't know.

8 Q. When did you first learn about the
9 events of June 19, 2005?

10 A. When did I first learn?

11 Q. Yes.

12 A. When she passed away? Can you
13 repeat that?

14 Q. When did you first learn about what
15 happened to Valerie Young on June 19, 2005?

16 A. I got a call, rushed to the
17 hospital, something was wrong.

18 Q. Which hospital was that?

19 A. Brookdale.

20 Q. You went to the hospital?

21 A. Yes, I went to the hospital.

22 Q. What time did you arrive there?

23 A. I don't recall. It was at night.

24 Q. Where were you when you got this
25 call?

1 S. YOUNG

2 A. In my mother's house. She was at
3 the hospital.

4 Q. When you got the call, what were
5 you told?

6 A. That Valerie was rushed to the
7 hospital.

8 Q. What else happened? From there you
9 went to the hospital?

10 A. Brookdale Hospital.

11 Q. Did you go by myself?

12 A. I think I went with my nephew.
13 Somebody went with me. I don't recall who it
14 was.

15 Q. When you got to the hospital, what
16 did you find out next?

17 A. That she was in a room, that she
18 had passed.

19 Q. When you say "passed," passed away?

20 A. Yes.

21 Q. Did anyone tell you what happened
22 to her at Brooklyn Developmental Center?

23 A. No, I didn't know at that time.

24 Q. Now, once you find out she had
25 passed away, who did you speak to next regarding

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1 S. YOUNG

2 this?

3 A. I called my sister because we
4 didn't want to upset my mother because she was in
5 the hospital with her heart. We were trying to
6 figure out how we are we going to tell her.

7 Q. Was your mother hospitalized at
8 that time?

9 A. Yes.

10 Q. When you arrived at Brookdale, who
11 else was there?

12 MR. KAISER: Objection to the form.

13 A. The two workers.

14 Q. The two workers from Brooklyn?

15 A. Yes.

16 Q. Were any of your relatives there
17 besides you?

18 A. I think my nephew was with me. I
19 don't recall which one it was.

20 Q. Did your sister arrive at any
21 point?

22 A. She came after.

23 Q. How soon after?

24 A. Maybe within the hour. She came
25 from Queens.

1 S. YOUNG

2 Q. Now, who do you remember discussing
3 next, regarding what happened to Valerie?

4 MR. KAISER: Objection.

5 Q. In other words, you got to the
6 hospital, you were told she passed away, who do
7 you remember next discussing with about what
8 happened to Valerie?

9 A. Maybe the workers.

10 Q. When your sister arrived, did you
11 discuss with her?

12 A. Of course.

13 Q. Did the workers tell you what
14 happened?

15 A. No.

16 Q. Do you remember who were the
17 workers from Brooklyn Developmental Disabilities
18 Service Office that you spoke to?

19 A. I just knew them by face. I didn't
20 know their names.

21 Q. When did you first discuss the
22 incident with your mother?

23 A. That night. It had to be that
24 night. We went to the hospital that night.

25 Q. You spoke to her by telephone or